

Assembly Bill No. 1903

CHAPTER 52

An act to add Section 20324 to the Public Contract Code, relating to the Sacramento Regional Transit District.

[Approved by Governor May 28, 1998. Filed with
Secretary of State May 29, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1903, Bowler. Sacramento Regional Transit District.

Existing law relating to the Sacramento Regional Transit District requires that contracts for construction in excess of \$5,000 be awarded to the lowest responsible bidder after competitive bidding.

This bill would authorize the board of directors of the district to construct all or part of the Folsom Corridor Light Rail Extension and Double Tracking Project using a design and construct approach with a specified procedure involving advertising a request for qualifications and prequalifying bidders.

The people of the State of California do enact as follows:

SECTION 1. Section 20324 is added to the Public Contract Code, to read:

20324. Notwithstanding Section 20321, the Board of Directors of the Sacramento Regional Transit District may construct all or any part of the Folsom Corridor Light Rail Extension and Double Tracking Project using a design and construct approach. If the board elects to design and construct the project, it shall comply with all of the following procedures:

(a) A request for qualifications shall be prepared and submitted to an adequate number of sources, as determined by the district, to permit reasonable competition consistent with the nature and requirements of that portion of the extension the district elects to design and construct. In addition, notice of the request for qualifications shall be published at least once in a newspaper of general circulation, at least 10 days before the last date on which responses to the request for qualifications may be received. The request for qualifications shall identify the minimum standards that the district has determined shall be met or exceeded by a contractor to successfully design and construct the project described in this section. Those standards may include, but are not limited to, technical experience and capability, financial condition and capacity, organization, and personnel.

(b) All respondents determined by the district to meet or exceed the minimum standards set forth in the request for qualifications shall be considered prequalified. The district may repeat the prequalification process described in subdivision (a). If the district has prequalified at least three respondents, it may invite those prequalified to submit sealed bids for the project based upon plans and specifications previously prepared by the district. Only those who have been prequalified are eligible for award of a contract. Award shall be made to the prequalified bidder submitting the lowest responsible bid.

(c) The board may reject any and all bids and request new bids.

(d) The board shall not give any special preference in the design and construct bidding process authorized by this section to any contractor or consortium of contractors that worked on the initial designs of the Folsom Corridor Light Rail Extension and Double Tracking Project.

SEC. 2. The Legislature finds and declares that a general statute, within the meaning of Section 16 of Article IV of the California Constitution, cannot be made applicable to the Sacramento Regional Transit District, as set forth in Section 1 of this act, and therefore, this act is necessary.

